

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

KENNETH C. TAYLOR, JR.

PLAINTIFF

V.

NO. 4:08CV036-A-S

A.W. BURNS, et al.

DEFENDANTS

**ORDER OVERRULING OBJECTIONS and ADOPTING
REPORT AND RECOMMENDATION**

The Plaintiff, an inmate, brings this *pro se* complaint pursuant to 42 U.S.C. § 1983. Along with a motion to amend his complaint, Plaintiff asked for a preliminary injunction that would require the Mississippi State Penitentiary (“MSP”) to timely refill his glaucoma medication; change his housing unit or supply him with polycarbonate lenses; and place a notice in his housing unit that requires immediate insolation in the event of an eye injury. Plaintiff was afforded the opportunity to clarify and specifically state his claims at a *Spears* hearing. Since that time, the Magistrate Judge has submitted a Report dated November 25, 2008, recommending the denial of Plaintiff’s motion for preliminary injunction.

Plaintiff has filed his objections. The court finds that Plaintiff cannot succeed on the merits of any claim against MSP officials because they are not parties in this action.

THEREFORE, it is hereby ORDERED that

(1) the Plaintiff’s objections to the Report and Recommendation of the United States Magistrate Judge are OVERRULED;

(2) the Report and Recommendation is APPROVED and ADOPTED as the opinion of this court; and

(3) Plaintiff’s motion for preliminary injunction (docket entry 23) is DENIED;

SO ORDERED, this the 8th day of January, 2009.

/s/ Sharion Aycock
UNITED STATES DISTRICT JUDGE